IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO. 18 OF 2005

Commissioner of Central Excise,
Thane-I. ... Appellant.

V/s.

M/s.Sunil Industries Ltd. ... Respondent.

Rajiv Chavan with A.S.Rao i/b. Dr.T.C.Kaushik
for the appellant.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 26th October 2005.

P.C. :

. This appeal, preferred at the instance of the appellant-Revenue, is against the order of the Tribunal dated 25th March, 2004. The impugned order against which appeal is filed is in favour of the Revenue. We fail to understand how the Revenue could prefer appeal against the order which is in their favour. The Revenue must have suffered loss on account of expenses incurred for filing of this appeal including that of professional charges paid to the advocates handling the matter.

. In this view of the matter, appeal is dismissed with costs quantified in the sum of Rs.5,000/- with direction to the Revenue to recover the amount of costs from the officers concerned who have taken decision to file appeal.

(J.P.DEVADHAR, J.) **(V.C.DAGA, J.)**